

DRAFT MINUTES

FOR THE

ATTORNEY REGULATION ADVISORY COMMITTEE

Tuesday, April 7, 2020

1:30 p.m.-3:30 p.m.

State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

NOTE: Meeting of the Attorney Regulation Advisory Committee was conducted virtually. Members of the Committee and Staff attended telephonically.

Present

Vice Chief Justice Ann. A Scott Timmer (Chair)

Hon. William J. O'Neil (Vice Chair)

Hon. Lawrence Winthrop

Hon. Margaret Downie

Whitney Cunningham

Evelyn Hernandez

Maria Hubbard

David Lunn

Edward Novak

Lisa Panahi

J. Scott Rhodes

George Riemer

Karen Ryan

Elaine Sweet

Maret Vessella

Staff

Dave Byers

Jennifer Albright

Kathy Curry

Mark Wilson

Michelle Martinez

Carol Mitchell

Lorena Landeros

Brianna Farmer

Guest

Lynda Shely

No. 1 Review and Approve December 11, 2019 and March 10, 2020 Minutes

Motion: Approve December 11, 2019 minutes.

Moved by: Hon. William J. O'Neil

Second: Elaine Sweet

Motion Passed: 15-0-0

Motion: Approve March 10, 2020 minutes.

Moved by: Maret Vessella

Second: Hon. William J. O'Neil

Motion Passed: 15-0-0

No. 2 Discussion and Possible Action on Rule Change Petitions

- o R-20-0020- Petition re Rules 34-37

Mark Wilson presented information on requested Petition and draft comment. Committee discussion focused, in part, on changes to Rule 34 and Character and Fitness application withdrawals. Short comment of favor of petition and with note that some members expressed concerns about the changes allowing the Committee to decline an applicant's request to withdraw.

Motion: File comment as drafted.

Moved by: Maret Vessella

Second: Whitney Cunningham

Motion Passed: 15-0-0

- o R-20-0007 – Rule 38(d) Limited Practice by Recent Law Graduates

Mark Wilson presented information on the Petition and draft comment. The Committee discussed the proposed comment.

Motion: File comment as drafted.

Moved by: Whitney Cunningham

Second: Hon. William J. O'Neil

Motion Passed: 15-0-0

- o R-20-0026 – Due Process for Attorneys

Mark Wilson presented information on the Petition and draft comment. The Committee discussed the proposed comment.

Motion: File comment as drafted.

Moved by: Elaine Sweet

Second: Hon. Lawrence Winthrop

Motion Passed: 15-0-0

- R-19-0044 –Petition re Rules 33-35, 37

Mark Wilson presented information on the Petition and the draft comment. The Committee discussed the proposed comment.

Motion: File comment as drafted.

Moved by: Hon. William J. O’Neil

Second: Maret Vessella

Motion Passed: 15-0-0

- R-20-0003- Petition re Rule 39

Mark Wilson presented information on the Petition and draft comment. The Committee discussed the proposed comment.

Motion: File comment as drafted.

Moved by: J. Scott Rhodes

Second: David Lunn

Motion Passed: 15-0-0

No. 3 Discussion of Rule and Code Petitions

- R-20-0034 Legal Services Business; LLLP
- ACJA 7-209- Alternative Business Structures
- ACJA 7-210- Limited License Legal Practitioner
- R-20-0030- Lawyer Advertising

Vice Chief Justice Timmer presented briefly on the discussion and presentation to be made by the Administrative Office of the Courts’ Director, Dave Byers.

Dave Byers provided a PowerPoint presentation regarding R-20-0034, R-20-0030 and the related Judicial code petitions. Lynda Shely assisted with responses to issues raised by Committee members. The Committee discussed the proposed comment.

Motion: File no comment on concerning the Petitions or Administrative Code proposed amendments. the addressed matters.

Moved by: Hon. William J. O’Neil

Second: J. Scott Rhodes

Motion Passed: 14-1-0

No. 5 New Business

Hon. A. Timmer, Chair

- Next meeting scheduled for May 19, 2020.
- 2019 ARC report draft will be distributed via email for comments/edits.

No. 6 Call to Public

Hon. A. Timmer, Chair

None.

Next Meeting: May 19, 2020

Adjourned: 3:38 p.m.

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